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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/809,380	03/26/2004	Wen Yen Huang	HUAN3254/EM	7615
23364 7590 05/16/2007 BACON & THOMAS, PLLC 625 SLATERS LANE FOURTH FLOOR ALEXANDRIA, VA 22314			EXAMINER SELBY, GEVELL V	
			ART UNIT 2622	PAPER NUMBER
			MAIL DATE 05/16/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No.		Applicant(s)	
	10/809,380		HUANG, WEN YEN	
	Examiner		Art Unit	
	Gevell Selby		2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____.                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date ____.  | 6) <input type="checkbox"/> Other: ____.                          |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. **Claims 1, and 3-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Belz et al., US 2003/0090572.**

In regard to claim 1, Belz et al., US 2003/0090572, discloses an image capturing apparatus capable of being used as a mobile storage device comprising:

an optical lens module (see figure 3, element 312);

a storage unit for storing data (see figure 3, element 328 or 330);

an image sensing unit (see figure 3, element 314) for using the optical lens module to sense external objects to obtain a corresponding digital image (see para. 55);

an image process controlling unit (see figure 3, element 320) for receiving the digital image to perform a digital image process to obtain a digital picture and stores the digital picture into the storage unit (see para. 57); and

an input/output (I/O) unit (see figure 3, element 322) connected to the image process controlling unit for transmitting the data in the storage unit to a host (see figure 1, element 30 and 10), wherein the host can also transmit internally stored data to the storage via the I/O unit (see para. 45).

In regard to claim 3, Belz et al., US 2003/0090572, discloses the image capturing apparatus as claimed in claim 1, wherein the storage unit is a plug-in storage media unit (see para. 56).

In regard to claim 4, Belz et al., US 2003/0090572, discloses the image capturing apparatus as claimed in claim 1, wherein the storage unit is a built-in storage media unit (see para 55: the firmware memory is built into the camera).

In regard to claim 5, Belz et al., US 2003/0090572, discloses the image capturing apparatus as claimed in claim 1, wherein the storage includes a built-in storage media unit (see figure 3, element 328) and a plug-in storage media unit (see figure 3, element 320).

In regard to claims 6, 7, and 8, Belz et al., US 2003/0090572, discloses the image capturing apparatus as claimed in claim 3, wherein the plug-in storage media unit is a compact flash (CF) card, Memory Stick (MS) card, or secured digital (SD) card (see para. 56).

In regard to claim 9, Belz et al., US 2003/0090572, discloses the image capturing apparatus as claimed in claim 4, wherein the built-in storage media unit is flash memory (see para. 55).

In regard to claim 10, Belz et al., US 2003/0090572, discloses the image capturing apparatus as claimed in claim 1, wherein the host is a computer device (see figure 1, element 30).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Belz et al., US 2003/0090572.**

In regard to claim 2, Belz et al., US 2003/0090572, discloses the image capturing apparatus as claimed in claim 1. The Belz reference does not disclose that the I/O unit is a universal serial bus (USB).

Feldis, III, US 7,110,026, discloses a camera (see figure 1A, element 50) that is connected to a host computer (see figure 1A, element 200) through an I/O interface 62 that is a universal serial bus (USB) port (see column 3, lines 24-31).

It would have been obvious to one of ordinary skill in the art at the time of invention to have been motivated to modify Belz et al., US 2003/0090572, in view of Feldis, III, US 7,110,026, wherein the I/O unit is a universal serial bus (USB), in order to connect the computer with without gowning through the internet service provide, thus making image transfer quicker and easier.

***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US 6,611,284, discloses a camera controlled by host computer.

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US 2004/0008260, discloses a camera with and internal and removable memory.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gevell Selby whose telephone number is 571-272-7369. The examiner can normally be reached on 8:00 A.M. - 5:30 PM (every other Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on 571-272-7304. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

gvs



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